



Signed and Filed: February 8, 2022

DENNIS MONTALI
U.S. Bankruptcy Judge

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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re:

PG&E CORPORATION,

- and -

PACIFIC GAS AND ELECTRIC COMPANY,

Debtors.

- Affects PG&E Corporation
- Affects Pacific Gas and Electric Company
- Affects both Debtors

* *All papers shall be filed in the Lead Case,
No. 19-30088 (DM).*

Case No. 19-30088 (DM)
Chapter 11
(Lead Case)
(Jointly Administered)

**ORDER APPROVING
STIPULATION BY AND
BETWEEN REORGANIZED
DEBTORS AND KEVIN THOMAS**

1 The Court having considered the *Stipulation By and Between Reorganized Debtors and*
2 *Kevin Thomas*, dated February 3, 2022 [Dkt. No. 11903] (the “**Stipulation**”),¹ entered into by PG&E
3 Corporation (“**PG&E Corp.**”) and Pacific Gas and Electric Company (the “**Utility**”), as debtors
4 and reorganized debtors (collectively, the “**Debtors**” and as reorganized pursuant to the Plan, the
5 “**Reorganized Debtors**”) in the above-captioned cases (the “**Chapter 11 Cases**”) and Kevin
6 Thomas (“**Thomas**”); and pursuant to such Stipulation and agreement of the Parties, and good cause
7 appearing,

8 IT IS HEREBY ORDERED THAT:

9 1. The Stipulation is approved.

10 2. Upon the date of the entry of this Order, the Plan Injunction shall be modified, to the
11 extent necessary, solely to permit Thomas to liquidate the claims against the Utility asserted in the
12 Proof of Claim by prosecuting the State Court Action through final judgment and any appeals
13 thereof, but not to permit enforcement of any such judgment, which judgment, if any, shall be
14 recoverable solely as a General Unsecured Claim in accordance with the Plan and through the
15 claims reconciliation process in these Chapter 11 Cases.

16 3. Upon the date of the entry of this Order, the Stipulation shall be deemed an
17 objection by the Reorganized Debtors to each of the Proofs of Claim, and each Proof of Claim
18 shall be considered a Disputed Claim. Each Proof of Claim shall be deemed an Allowed Claim on
19 the earlier of (a) the date on which the Proof of Claim becomes an Allowed Claim pursuant to
20 written agreement between the claimant and the Reorganized Debtors, or (b) thirty (30) days after
21 either Party files notice in the Bankruptcy Court that a judgment liquidating the underlying claim
22 has been entered in the State Court Action and all appeals from such judgment have been
23 concluded or the time to appeal has expired, provided that if, as permitted by paragraph 4(a)
24 hereof, the Reorganized Debtors further object to the Proof of Claim on any specific grounds not
25
26

27 1 Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to
28 them in the Stipulation.

1 precluded by a final judgment in the State Court Action, the Proof of Claim shall remain Disputed
2 and shall not be Allowed without further Order of the Bankruptcy Court.

3 4. Nothing herein is intended, nor shall it be construed, to be:

- 4 a. a waiver by the Reorganized Debtors or any other party in interest, of any right to
5 object to the Proof of Claim on any grounds not precluded by a final judgment in
6 the State Court Action, or
7 b. a waiver by Thomas of his rights to oppose any asserted challenge to any Proof of
8 Claim,
9 c. a waiver by any Party of any claim or defense in the State Court Action, or
10 d. a waiver by the Reorganized Debtors of any rights with respect to the Cross-
11 Complaint.

12 5. The Stipulation shall be binding on the Parties and each of their successors in interest.

13 6. The Stipulation shall constitute the entire agreement and understanding of the Parties
14 relating to the subject matter thereof and supersedes all prior agreements and understandings relating
15 to the subject matter hereof.

16 7. This Court shall retain jurisdiction to resolve any disputes or controversies arising
17 from this Order or the Stipulation.

18
19 APPROVED AS TO FORM AND CONTENT:

20 Dated: February 4, 2022

21 THE LAW OFFICES OF BRIAN L. LARSEN

22
23 /s/ Joseph Lee
Joseph Lee

24 Attorneys for Kevin Thomas

25
26 *** END OF ORDER ***